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Attorney for Defendant

SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA

2008 OCT 31 PM 4:08 ✓

JEANNE HICKS, CLERK

BY: Beth Blanton

***In the Superior Court
In and for the County of Yavapai, State of Arizona***

STATE OF ARIZONA,

Plaintiff,

vs.

STEVEN DEMOCKER

Defendant.

Case No. 2008-1339

DIVISION 5

**NOTICE OF CHANGE OF
JUDGE**

PLEASE TAKE NOTICE THAT Defendant STEVEN DEMOCKER, by his counsel undersigned, pursuant to Rule 10.2, Rules of Criminal Procedure, hereby requests a change of Judge in this matter. The name of the Judge to be changed is the Honorable William T. Kiger. This is the first request for a change of Judge by this Defendant in this case.

Counsel undersigned avows that the request is made in good faith and not:

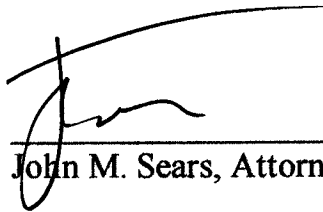
1. For the purpose of delay:
2. To obtain a severance:
3. To interfere with the reasonable case management practices of a judge:
4. To remove a judge for reasons of race, gender or religious affiliation:

5. For the purpose of using the rule against a particular judge in a blanket fashion by a prosecuting agency, defender group or law firm (State v. City of Tucson, 150 Ariz. 99, 722 P.2d 267 (1986));
6. To obtain a more convenient geographical location; or
7. To obtain advantage or avoid disadvantage in connection with with a plea bargain or at sentencing, except as permitted under Rule 17.4(g).

RESPECTFULLY SUBMITTED THIS 31st day of October, 2008.

LAW OFFICES OF JOHN M. SEARS, P.C.

By:



John M. Sears, Attorney for Defendant

Copy of the foregoing hand delivered this
31st day of October, 2008 to:

Honorable Robert Brutinel
Presiding Judge, Yavapai County Superior Court
Yavapai County Courthouse
Prescott, AZ

Honorable William T. Kiger
Judge of the Yavapai County Superior Court
Division 5
Yavapai County Courthouse
Prescott, AZ

Mark Ainley
Yavapai County Attorney
Yavapai County Courthouse
Prescott, AZ

By:

